



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FELICIA COLLINS,

Plaintiff,

VERDICT SHEET

-against-

CV 01-4194 (ADS)

THE SUFFOLK COUNTY POLICE DEPARTMENT
and the COUNTY OF SUFFOLK, POLICE OFFICER
JAMES EDMONDS, POLICE SGT. LINDA CICALESSE
and CAPTAIN RAYMOND PETERSEN,

Defendants.
-----X

SPATT, District Judge

According to the principles of law as charged by the Court and the facts as you find them,
please answer the following questions:

AS TO THE ALLEGED FEDERAL AND STATE RACIAL DISCRIMINATION
CAUSE OF ACTION

Please answer questions 1, 2, 3 and 4.

1. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her race was a motivating factor for the decision of the Suffolk County Police Department to decline to promote her to detective?

YES _____

NO X _____

2. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her race was a motivating factor for the decision of the Suffolk County Police Department to decline to transfer her to the Narcotics Unit?

YES _____ NO X

3. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her race was a motivating factor for the decision of the Suffolk County Police Department to transfer her from the Domestic Violence Section to the 6th Precinct?

YES _____ NO X

4. Based on all the evidence presented, did the plaintiff Felicia Collins prove that her race was a motivating factor for the decision of the Suffolk County Police Department to file a disciplinary charge against her in October 2000?

YES _____ NO X

INSTRUCTIONS

If your answer to questions 1, 2, 3 and 4 are all "NO", you have found a verdict in favor of all the defendants in all phases of the plaintiff's racial discrimination cause of action. In that event, please proceed to the instructions preceding question 6.

If your answer to any of questions 1, 2, 3 and 4 is "YES", you have found a verdict in favor of the plaintiff Felicia Collins against the defendant Suffolk County Police Department as to that phase of the plaintiff's racial discrimination cause of action. In that event, please answer question 5.

5. Did the plaintiff Felicia Collins prove that the following defendants aided or encouraged or assisted in the commission of the acts of racial discrimination by the defendant Suffolk County Police Department:

	<u>YES</u>	<u>NO</u>
P.O. James Edmonds	_____	_____
Sgt. Linda Cicalese	_____	_____
Capt. Raymond Peterson	_____	_____

If your answer to any part of question 5 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against that defendant on the plaintiff's racial discrimination cause of action. Please proceed to the instructions preceding question 6.

If your answer to any part of question 5 is "NO," you have found a verdict in favor of that defendant on the plaintiff's racial discrimination cause of action. Please proceed to the instructions preceding question 6.

**AS TO THE ALLEGED FEDERAL AND STATE GENDER
DISCRIMINATION CAUSE OF ACTION**

INSTRUCTIONS

Please answer questions 6, 7, 8 and 9.

6. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her gender was a motivating factor for the decision of the Suffolk County Police Department to decline to promote her to detective?

YES _____

NO X

7. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her gender was a motivating factor for the decision of the Suffolk County Police Department to decline to transfer her to the Narcotics Unit?

YES _____

NO X

8. Based on all of the evidence presented, did the plaintiff Felicia Collins prove that her gender was a motivating factor for the decision of the Suffolk County Police Department to transfer her from the Domestic Violence Section to the 6th Precinct?

YES _____

NO X

9. Based on all the evidence presented, did the plaintiff Felicia Collins prove that her gender was a motivating factor for the decision of the Suffolk County Police Department to file a disciplinary charge against her in October 2000?

YES _____

NO X _____

INSTRUCTIONS

If your answer to questions 6, 7, 8 and 9 are all "NO," you have found a verdict in favor of all the defendants in all phases of the plaintiff's gender discrimination cause of action. In that event, please proceed to the instructions preceding question 11.

If your answer to any of questions 6, 7, 8 and 9 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against the defendant Suffolk County Police Department as to that phase of the plaintiff's gender discrimination cause of action. In that event, please answer question 10.

10. Did the plaintiff Felicia Collins prove that the following defendants aided or encouraged or assisted in the commission of the acts of gender discrimination by the defendant Suffolk County Police Department:

	<u>YES</u>	<u>NO</u>
P.O. James Edmonds	_____	_____
Sgt. Linda Cicalese	_____	_____
Capt. Raymond Peterson	_____	_____

If your answer to any part of question 10 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against that defendant on the plaintiff's gender discrimination cause of action. Please proceed to the instructions preceding question 11.

If your answer to any part of question 10 is "NO," you have found a verdict in favor of that defendant on the plaintiff's gender discrimination cause of action. Please proceed to the instructions preceding question 11.

AS TO ALLEGED FEDERAL AND STATE RETALIATION CLAIM

INSTRUCTIONS

Please answer questions 11, 12, 13 and 14.

11. Based on all the evidence presented, did the plaintiff, Felicia Collins, prove that the failure to promote her to detective was motivated by a retaliatory intent by the defendant Suffolk County Police Department?

YES X NO _____

12. Based on all the evidence presented, did the plaintiff, Felicia Collins, prove that the failure to transfer her to the Narcotics Unit was motivated by a retaliatory intent by the defendant Suffolk County Police Department?

YES X NO _____

13. Based on all the evidence presented, did the plaintiff Felicia Collins prove that her transfer from the Domestic Violence Section to the 6th Precinct was motivated by a retaliatory intent by the defendant Suffolk County Police Department?

YES X NO _____

14. Based on all the evidence presented, did the plaintiff Felicia Collins prove that the filing by the Suffolk County Police Department of a disciplinary charge against her in October 2000 was motivated by a retaliatory intent?

YES X NO _____

INSTRUCTIONS

If your answer to question 11, 12, 13 and 14 are all "NO," you have found a verdict in favor of all the defendants in all phases of the plaintiff's retaliation cause of action. Please proceed to the instructions preceding question 16.

If your answer to any of questions 11, 12, 13 or 14 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against the defendant Suffolk County Police Department as to that phase of the plaintiff's retaliation cause of action. In that event, please answer question 15.

15. Did the plaintiff Felicia Collins prove that the following defendants aided or encouraged or assisted in the commission of the acts of retaliatory discrimination by the defendant Suffolk County Police Department:

	<u>YES</u>	<u>NO</u>
P.O. James Edmonds	<u>X</u>	_____
Sgt. Linda Cicalese	<u>X</u>	_____
Capt. Raymond Peterson	<u>X</u>	_____

If your answer to any part of question 15 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against that defendant on the plaintiff's retaliatory discrimination cause of action. Please proceed to the instructions preceding question 16.

If your answer to any part of question 15 is "NO," you have found a verdict in favor of that defendant on the plaintiff's retaliatory discrimination cause of action. Please proceed to the instructions preceding question 16.

**AS TO THE ALLEGED FEDERAL AND STATE RACIAL/GENDER/RETALIATION
HOSTILE WORK ENVIRONMENT CAUSE OF ACTION**

As to the Defense of Statute of Limitations

Please answer questions 16 and 17.

16. Did the plaintiff prove that, after June 10, 1998, police officers and supervisors of the Suffolk County Police Department committed discriminatory acts demonstrating an ongoing policy or practice of racial or gender or retaliatory discrimination against the plaintiff?

YES X NO _____

17. Did the plaintiff prove that, after June 10, 1998, the police officers and supervisors of the Suffolk County Police Department committed specific and related instances of racial or gender or retaliatory discrimination against the plaintiff, condoned by the supervisors of the Suffolk County Police Department?

YES X NO

If your answer to both questions 16 and 17 are "NO," you are instructed not to consider any evidence of discrimination that occurred prior to June 10, 1998 as a basis for an award of damages. However, you may consider evidence of events predating June 10, 1998 as relevant evidence in determining whether or not the acts within the limitation period were discriminatory.

In addition, if your answer to both questions 16 and 17 are "NO," there can be no liability on the part of the defendant James Edmonds in this hostile work environment cause of action.

If your answer to either or both questions 16 and 17 is "YES," you are permitted to consider any evidence of discrimination that occurred prior to June 10, 1998 in all respects, including as a basis for an award of damages.

18. Did the plaintiff Felicia Collins prove that she was subjected to severe or pervasive unwelcome racial/gender/retaliatory discrimination by police officers and supervisors of the Suffolk County Police Department?

YES X NO

If your answer to question 18 is "NO," you have found a verdict in favor of the defendants on the plaintiff's claim based on racial/gender/retaliation discrimination-hostile work environment cause of action. In that event, please proceed to the instructions following question 22.

If your answer to question 18 is "YES," please answer question 19.

19. Did the plaintiff Felicia Collins prove that the charged racial/gender/retaliatory discrimination by the police officers and supervisors had the effect of unreasonably interfering with her work performance and created an intimidating, hostile or offensive work environment for her?

YES X

NO _____

If your answer to question 19 is "NO," you have found a verdict in favor of the defendants on the plaintiff's claim based on racial/gender/retaliatory discrimination-hostile work environment cause of action. In that event, please proceed to the instructions following question 22.

If your answer to question 19 is "YES," please answer question 20.

20. Did the plaintiff Felicia Collins prove that the supervisory officers at the Suffolk County Police Department knew or should have known of the alleged racial/gender/retaliatory based harassment?

YES X

NO _____

If your answer to question 20 is "NO," you have found a verdict in favor of the defendants on the plaintiff's claim based on racial/gender/retaliatory discrimination-hostile work environment cause of action.. In that event, please proceed to the instructions following question 22.

If your answer to question 20 is "YES," please answer question 21.

21. Did the plaintiff Felicia Collins prove that the supervisory officers at the Suffolk County Police Department failed to implement prompt and appropriate corrective action?

YES X

NO

If your answer to question 21 is "NO," you have found a verdict in favor of the defendants on the plaintiff's claim based on racial/gender/retaliatory discrimination-hostile work environment cause of action. In that event, please proceed to the instructions following question 22.

If your answer to question 21 is "YES," you have found a verdict in favor of the plaintiff against the defendant Suffolk County Police Department in this racial/gender/retaliatory discrimination-hostile work environment cause of action. In that event, please proceed to question 22.

22. Did the plaintiff Felicia Collins prove that the following defendants aided or encouraged or assisted in the commission of the hostile work environment at the Suffolk County Police Department:

	<u>YES</u>	<u>NO</u>
P.O. James Edmonds	<u>X</u>	_____
Sgt. Linda Cicalese	<u>X</u>	_____
Capt. Raymond Peterson	<u>X</u>	_____

If your answer to any part of question 22 is "YES," you have found a verdict in favor of the plaintiff Felicia Collins against the defendant on the plaintiff's hostile work environment cause of action. Please proceed to the instructions preceding question 23.

If your answer to any part of question 22 if "NO," you have found a verdict in favor of that defendant on the hostile work environment cause of action. Please proceed to the instructions preceding question 23.

INSTRUCTIONS

In the event that you have found a verdict in favor of all the defendants on all causes of action, do not answer the damages questions. In that event, the foreperson should sign and date the verdict sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

If you have found a verdict against any of the defendants on any of the plaintiff's causes of action, please answer the appropriate damages questions that follow.

DAMAGES

As to Compensatory Damages

23. What amount of damages, if any, do you award the plaintiff Felicia Collins for emotional distress to the present date?

\$67,500.00

Only answer question 24 if you have found in favor of the plaintiff in the failure to promote to detective phase.

24. What amount of damages, if any, do you award to the plaintiff Felicia Collins for her loss of back wages from June 10, 1998 to the present date? \$12,000.00

As to Punitive Damages

You are to consider the issue of punitive damages only as to an individual defendant you have found to be liable on one or more causes of action.

25. Do you award punitive damages in favor of the plaintiff Felicia Collins against the defendant James Edmonds?

YES X NO _____

If your answer to question 25 is "NO," do not answer question 26 and please answer question

27. If your answer to question 25 is "YES," please answer question 26.

26. We award punitive damages in favor of the plaintiff Felicia Collins against the defendant James Edmonds, in the sum of \$75,000.00

27. Do you award punitive damages in favor of the plaintiff Felicia Collins against the defendant Linda Cicalese?

YES X NO _____

If your answer to question 27 is "NO," do not answer question 28 and please answer question

29. If your answer to question 27 is "YES," please answer question 28.

28. We award punitive damages in favor of the plaintiff Felicia Collins against the defendant Linda Cicalese, in the sum of \$25,000.00

29. Do you award punitive damages in favor of the plaintiff Felicia Collins against the defendant Raymond Petersen?

YES X NO

If your answer to question 29 is "NO," do not answer question 30 and please have the foreperson sign and date the verdict sheet and announce by note that you are ready to return to the courtroom to announce your verdict.

If your answer to question 29 is "YES," please answer question 30.

30. We award punitive damages in favor of the plaintiff Felicia Collins against the defendant Raymond Petersen, in the sum of \$50,000.00

Foreperson, please sign and date the Verdict Sheet and announce by a note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.

Dated: Central Islip, New York
May 19, 2004

Brenda Shelton
FOREPERSON